

**CENTRAL VALLEY ENERGY CENTER
DATA ADEQUACY RESPONSES (01-AFC-22)**

Section 2.6 Project Overview

6-month Issues

6-PO-1 Data Adequacy Deficiency – Please provide documentation for the “purchase option” referenced on page 1-1.

Data Adequacy Response – Calpine has entered into an option agreement for the subject property. An affidavit, signed by a principal in the company, attesting to this fact was submitted to the CEC under separate cover on December 11, 2001. For completeness, a copy of the affidavit is included as Attachment 6-PO-1.

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**Attachment 6-PO-1
Affidavit of Option Agreement**

DECLARATION OF RICK THOMAS

1. My name is Rick Thomas.
2. I am currently serving as Vice-President of the Central Valley Energy Center, LLC ("CVEC").
3. The CVEC project will be located on that certain portion of the approximately eighty-five acre parcel in Fresno County, as more particularly described in the Application for Certification and related materials filed with the California Energy Commission (the "Project Site").
4. CVEC has control of the Project Site via an option agreement with the Project Site owners, Sidney Gordon and Barbara Gordon (the "Option Agreement").
5. I am not an attorney; however, I am informed by counsel that the Option Agreement is a valid and legally binding agreement that gives CVEC control of the Project Site.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: 12/11/01

Signed:



Rick Thomas
Vice-President
Central Valley Energy Center, LLC

At: Dublin, California